



Atty Dkt No: PP00938.105
2300-0938.02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

WEINER et al.

Serial No.: 08/823,980

Art Unit: 1644

Filing Date: March 25, 1997

Examiner: R. Schwadron

Title: CONSERVED MOTIF OF HEPATITIS C VIRUS E2/NS1 REGION

TERMINAL DISCLAIMER

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Chiron Corporation, hereinafter "Assignee", a Delaware corporation, having an address at 4560 Horton Street, Emeryville, California 94608-2916, is the owner of the entire right, title and interest in and to application U.S. Serial No. 08/823,980, filed March 25, 1997, by virtue of an assignment recorded March 29, 1999 at Reel 9852, Frame 0897 and is also the owner of the entire right, title and interest in and to U.S. Patent No. 6,797,809, filed August 8, 2003, by virtue of an assignment recorded May 2, 2003 at Reel 013622, Frame 0863.


In accordance with 37 C.F.R. §3.73(b), Assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of Assignee's knowledge and belief, title is in the assignee seeking to take this action.

The assignee hereby disclaims the terminal part of any patent granted on the above-captioned application Serial No. 08/823,980 which would extend beyond the expiration date of U.S. Patent No. 6,797,809, except as provided below, and agrees that any patent granted on the above-captioned application 08/823,980 will be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,797,809, this agreement to run with any patent granted on the above-captioned application Serial No. 08/823,980 and to be binding upon the grantee, its successors or assigns.

In making this disclaimer, the assignee does not disclaim any terminal part of any patent granted on the above-identified application Serial No. 08/823,980 that would extend to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 6,797,809 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment to Deposit Account No. 18-1648.

Executed at Emeryville, California

By: 
Michael J. Moran

Title: Assistant Secretary

Date: Sept 28, 2005



Effective on 12/08/2004.

Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 130)

Complete if Known

Application Number	08/823,980
Filing Date	March 25, 1997
First Named Inventor	WEINER et al.
Examiner Name	R. Schwadron
Art Unit	1644
Attorney Docket No.	PP00938.105 (230-0938.02)

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 18-1648 Deposit Account Name: Robins & Pasternak LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Small Entity	Fee (\$)	Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25	
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100	
Multiple dependent claims	360	180	

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
-20 or HP = _____ x _____ = _____						
HP = highest number of total claims paid for, if greater than 20						
<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>			
-3 or HP = _____ x _____ = _____						
HP = highest number of independent claims paid for, if greater than 3						

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
_____ - 100 = _____	_____ / 50 = _____	(round up to a whole number) x _____	= _____	

4. OTHER FEE(S)0

Non-English Specification, \$130 fee (no small entity discount)

Other: Fee For Statutory Disclaimer (large entity)

Fees Paid (\$)

130

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	33,208	Telephone	(650) 493-3400
Name (Print/Type)	Roberta L. Robins			Date	September 29, 2005